



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,616	06/12/2001	Nisha D. Talagala	5181-83701	5974

7590 12/15/2004

Robert C. Kowert
Conley, Rose, & Tayon, P.C.
P.O. Box 398
Austin, TX 78767

EXAMINER

LAMARRE, GUY J

ART UNIT	PAPER NUMBER
----------	--------------

2133

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/880,616

Applicant(s)

TALAGALA ET AL.

Examiner

Guy J. Lamarre, P.E.

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

Response to Amendment

1. This office action is in response to Applicants' Amendment of 6/14/04.
- 1.1 Claims 1-31 remain pending.
- 1.2 The rejections and objections of record are maintained in response to Applicants' Amendment.

Response to Arguments

2. Applicants' arguments are moot in view of new ground of rejection because Applicant's arguments with respect to the rejection(s) of claim(s) 1-31 under 35 USC 103 (a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of **MacLaren et al.** (US PG PUB No. 20020016942; filed January 26, 2000).

Claim Rejections - 35 USC ' 103

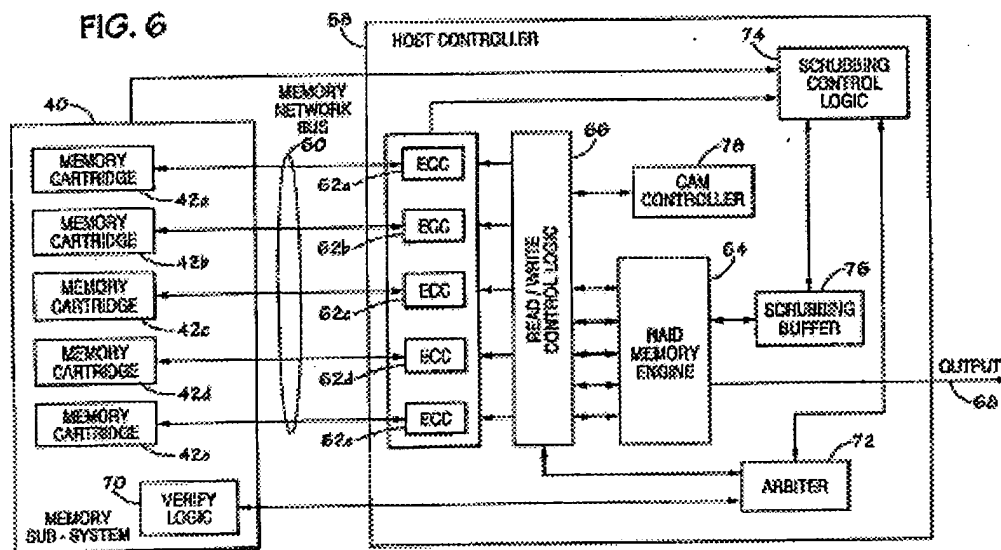
3. **Claims 1-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Applicants' Admitted prior art** (hereinafter **Admitted prior art**) and **MacLaren et al.** in view of **Katz et al.** (US Patent No. 5,195,100).

As per **Claims 1-31**, **Admitted prior art** substantially discloses the claimed RAID storage means (page 1 line 21 et seq.) comprising: array of plural storage devices and controlling/scrubbing means for parallel data transfer therebetween (page 1 line 25 et seq.) to reconstruct data subsequent to detection of storage failure. **Not specifically described in detail in Admitted prior art** is controlling means comprising scrubbing or extent scrubbing means.

However **MacLaren et al.** discloses scrubbing means, e.g., in para. 54 et seq., "*The memory control devices 48a-e, the error detection and correction devices 62a-e and the RAID memory engine 64 can be used to correct the data before it is written to the output 68. However, at this point the data residing in the memory sub-system 40 may still be corrupted. To rectify this problem, the data in the memory sub-system 40 may be overwritten or "scrubbed."* **MacLaren et**

Art Unit: 2133

al. discloses equivalent extent scrubbing, e.g., in Fig. 6: *blocs* 74,76 and para. 49, “It should be evident from the discussion above, that performing error detection and correction on data residing in the memory sub-system 40 by relying on READ operations sent from peripheral devices will only result in detection of errors on those devices from which data is read. By relying on the READ command from a peripheral device, certain areas of memory may sit idle for extended periods thereby allowing data errors to accumulate undetected. To address this issue, an additional piece of logic may reside in the memory sub-system 40. The verify logic 70 initiates a routine based on an operator instruction, a pre-determined periodic instruction, or some sequence of events such as a hot-plug event, for example. The verify logic 70 initiates a check of the specified memory location in the memory sub-system 40 without depending on normal READ accesses by external devices.”

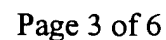


Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the RAID of **Admitted prior art** by including therein scrubbing means as taught by **MacLaren et al.**, because such modification would provide the RAID disclosed in **Admitted prior art** with a technique wherein “For every data word in which a

Page 3 of 6

Page 3 of 6

Page 3 of 6



Page 3 of 6

Art Unit: 2133

wherein plural fields are provided for data error checking via CRC, e.g., 3^d field for RAID 310 and 6th field for RAID 504 along with means for time-stamping for tracking RAID status, e.g., device 601. Such data error checking is effected and configured for local or system-wide operation based on stimuli from either the system/extent/array controller or the local/RAID/disk controller. Corrective steps are taken in col. 6 line 35 et seq., e.g., via RS code spread across plural disks for data reconstruction in col. 6 line 62 in a manner equivalent to the claimed invention, e.g., *“a Reed Solomon coding algorithm is used to calculate the check data that is stored on the check drives. In a particularly preferred embodiment this check data is distributed across several physical disk drives in a striped manner like that of the previously described RAID level 5 architecture. A stripe comprises corresponding sectors across a set of disk drives, some of which sectors contain mass storage data and others of which sectors contain check data for the mass storage data sectors within the stripe. A stripe may be one or more sectors deep. Such stripes on a set of disks are grouped into one or more of what is hereafter referred to as redundancy groups. In this arrangement the physical devices comprising the check drives for a particular stripe varies from stripe to stripe. The widths of the stripes (i.e., the number of physical storage devices spanned by each stripe) are equal within a redundancy group.”*

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the RAID of **Admitted prior art/MacLaren** by including therein silent error detection via parity/CRC/checksum means as taught by **Katz et al.**, because such modification would provide the RAID disclosed in **Admitted prior art/MacLaren** with a technique wherein *“The third field is the CPU data block 503 as sent from or to CPU bus or channel 319. The fourth field is a CRC code 504 appended by device controller 302 on transmission to RAID controller 310 and checked by RAID controller 310. CRC code 504 is checked again and stripped by device controller 302 on receipt from RAID controller 310. Inclusion of this field 504 allows the disk storage system to detect random data errors occurring on the bus between the device controller and the*

Art Unit: 2133

*RAID controller...The sixth field is a CRC code 506 appended by the RAID controller on a write operation and checked and stripped by the RAID controller on a read operation. As previously described, inclusion of this field allows the disk storage system to detect random bit errors occurring within the data block covering the additional device controller CRC 504 and time stamp 505 fields, during transmission between the disk and the RAID controller.” {See **Katz et al.**, col. 3 lines 30-41, col. 7 line 48 et seq.}*

Conclusion

4. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington, D.C. 20231

or faxed to: (703) 872-9306 for all formal communications.

Hand-delivered responses should be brought to Customer Services, 220 20th Street S., Crystal Plaza II, Lobby, Room 1B03, Arlington, VA 22202.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guy J. Lamarre, P.E., whose telephone number is (571) 272-3826. The examiner can normally be reached on Monday to Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert De Cady, can be reached at (571) 272-3819.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3609.

Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Art Unit: 2133

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Guy J. Lamarre, P.E
Primary Examiner
12/13/04
